

REMARKS

This application has been carefully reviewed in light of the Office Action dated December 15, 2008. Claims 17 to 36 are pending in the application, with Claims 1 to 7, 9 to 12 and 14 to 16 having been cancelled without prejudice or disclaimer of subject matter and without conceding the correction of the rejections applied against them. Claims 17 and 30 are the independent claims. Reconsideration and further examination are respectfully requested.

Claims 1 to 7, 9 to 12, 15 and 16 were rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,574,742 (Jamroga) in view of U.S. Publication No. 2002/0059236 (Sato). Claim 14 was rejected under 35 U.S.C. § 103(a) over Jamroga and Sato in view of U.S. Publication No. 2005/0066165 (Peled). These claims have been canceled without prejudice or disclaimer of subject matter, and the rejections of these claims are therefore believed to be obviated. New Claims 17 to 36 are believed to be allowable over the art of record for at least the following reasons.

Independent Claims 17 and 30 generally concern authorizing access to medical image data. Digital medical image data generated by imaging facilities is stored at a server, and an authorized user is provided with access to at least a part of the stored digital medical image data via an authorization process on the network.

According to aspects of Claims 17 and 30, the authorized user can select image data from among the stored data. The authorized user is enabled to grant an individual other than the authorized user rights to access the selected image data.

By virtue of this arrangement, it is ordinarily possible to grant or sub-license access to digital medical images to a third party, while limiting those images to only those selected by an authorized user.

Referring specifically to claim language, independent Claim 17 is directed to a method of authorizing access to medical image data generated by one or more imaging facilities. The method includes receiving digital medical image data generated by the one or more imaging facilities via a network at a server, and storing the digital medical image data at the server. The method also includes providing an authorized user with access to at least a part of the stored digital image data via an authorization process on the network. In addition, the method includes enabling the authorized user to select digital image data from among the stored image data to which the authorized user has access. The method further includes enabling the authorized user to grant an individual other than the authorized user rights to access the selected image data.

Independent Claim 30 is directed to a system substantially in accordance with the method of Claim 17.

The art of record is not seen to disclose or suggest the features of Claims 17 and 30, and in particular is not seen to disclose or suggest at least the feature of enabling an authorized user to grant an individual other than the authorized user rights to access image data selected by the authorized user.

Page 4 of the Office Action concedes that Jamroga fails to teach a payer forwarding access to an individual other than the payer (or the granter), wherein access is forwarded to the other individual by the payer (or the granter) and the other individual is thereafter provided with access to the stored data. Applicants agree, and submit that it

logically follows that Jamroga also does not disclose or suggest enabling an authorized user to grant an individual other than the authorized user rights to access image data selected by the authorized user.

Nevertheless, the Office Action relies on Satoh (Figure 2 and paragraphs [0010], [0011] and [0025] to [0029]) for a payer forwarding access to an individual other than the payer, wherein the other individual is thereafter provided with access to the stored data. As understood by Applicants, Satoh is directed to controlling access rights for data to be used in common by multiple users. Access management data is updated in response to communication from a user who is authorized to grant access rights. See Satoh, Abstract.

However, the cited portions of Satoh simply disclose that a granter grants access rights to data, and an access management table is correspondingly updated. See Satoh, Figure 2 and paragraphs [0010], [0011] and [0025] to [0029]. Satoh is not seen to disclose or suggest selecting particular images to be accessed by a third party, much less enabling an authorized user to grant an individual other than the authorized user rights to access image data selected by the authorized user.

Peled has been reviewed and is not seen to remedy the deficiencies of Jamroga and Satoh.

Therefore, independent Claims 17 and 30 are believed to be in condition for allowance, and such action is respectfully requested.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the

claims, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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